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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, ) No. CR 3-12-71282-MAG

Plaintiff.

MIGUEL ARENAS,

### Defendant

**STIPULATION AND [PROPOSED]  
ORDER CONTINUING APPEARANCE  
DATE AND EXCLUDING TIME  
PURSUANT TO FED. R. CRIM. P. 5.1 &  
18 U.S.C. § 3161**

The parties, by and through counsel, stipulate and agree as follows:

1. The time limits in Fed. R. Crim. P. 5.1(c) shall be extended to and until July 9, 2013, and the hearing scheduled for June 28, 2013, vacated.

2. Counsel for the defendant has a scheduling conflict, rendering her unavailable to be present in Court on June 28. In addition, Counsel for the United States and the defendant wish to exchange certain information, and to meet and confer prior to the time of Indictment to discuss a potential resolution of the case. Counsel for the defendant believes based on the charge alleged in the Complaint that it is in the best interest of the defendant to obtain further information, consult with the defendant, and meet with the government prior to Indictment; counsel for the

1 government believes that it is in the interests of justice to do so. The parties agree that extending  
2 the time limits of Rule 5.1 serves the ends of justice and outweighs the interests of the public and  
3 the defendant in a speedy trial, and that failing to extend the time limits would deny counsel for  
4 the government and the defendant the reasonable time necessary for continuity of counsel and  
5 effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7).

6 3. The hearing scheduled for June 28, 2013, should be vacated. The next court  
7 appearance in this case shall be July 9, 2013, 2013, at 9:30 am before the duty magistrate in San  
8 Francisco, for preliminary hearing or indictment. The parties may seek further extension of the  
9 time limits in Rule 5.1(c) by stipulation.

10 SO STIPULATED AND AGREED,

11 MELINDA HAAG  
12 United States Attorney

14 DATED: June 26, 2013

15 CAROLYN SILANE  
16 Special Assistant United States Attorney

17 DATED: June 26, 2013

18 RANDY SUE POLLOCK  
19 Attorney for Miguel Arenas

21 [PROPOSED] ORDER

22 Pursuant to stipulation, Fed. R. Crim. P. 5.1, and 18 U.S.C. 3161(h)(7), IT IS SO  
23 ORDERED.

24  
25  
26 DATED: June 28, 2013

27   
28 HON. LAUREL BEELER  
United States Magistrate Judge